

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLAN B. THOMAS and
JOANN E. THOMAS,

Defendants.

NO. CR19-210RAJ

ORDER CONTINUING
TRIAL DATE

The Court having considered the *ex parte* sealed filing presented by defense counsel for Allan Thomas and having held a status conference on January 10, 2022, concerning the trial date in this matter at which defense counsel for Allan Thomas represented that he could not effectively prepare for, and try, this case on the currently scheduled date of January 31, 2022, due to a medical issue;

Both defendants having moved for a continuance of the trial date in order to allow counsel for Allan Thomas time to address the issue and to prepare for and represent his client at trial;

And both defendants having indicated on the record that they are willing to waive their right to a speedy trial until April 30, 2022, in order to allow counsel for Allan Thomas effectively to prepare for and represent his client;

1 THE COURT FINDS, based upon the representations made by defense counsel for
2 Allan Thomas, that defense counsel could not effectively represent Allan Thomas if trial
3 were to proceed on the currently scheduled date of January 31, 2022;

4 THE COURT FURTHER FINDS that the ends of justice served by granting a
5 continuance outweigh the best interests of the public and the defendants in a more speedy
6 trial. 18 U.S.C. § 3161(h)(7)(A), (B)(i) & (iv).

7 IT IS THEREFORE ORDERED that the defendants' motion to continue the trial date
8 is GRANTED and the current trial date of January 31, 2022, is hereby stricken;

9 IT IS FURTHER ORDERED that trial is now SCHEDULED to begin on April 25,
10 2022, at 9:00 a.m.

11 IT IS FURTHER ORDERED that the time between today's date and April 25, 2022,
12 is excluded in computing the time within which trial must commence, because the ends of
13 justice served by granting this continuance outweigh the best interest of the public and the
14 defendants in a more speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Failure to grant this
15 continuance would likely make trial impossible, could result in a miscarriage of justice, and
16 would deny counsel for the defendant the reasonable time necessary for effective
17 preparation, taking into account the exercise of due diligence. *See id.* § 3161(B)(i) & (iv).

18 IT IS FURTHER ORDERED that the Court will hold a pretrial conference at 3:30
19 p.m. on March 25, 2022.

20 DATED this 11th day of January, 2022.

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23 The Honorable Richard A. Jones
24 United States District Judge
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